



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Curiel et al.

FILED: September 9, 1999

SERIAL NO.: 09/393,173

FOR: Adenoviral Vector Encoding Anti-
Apoptosis Bax Gene and Uses Thereof

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ART UNIT:
1632

EXAMINER:
Beckerleg

DOCKET:
D6163

The Assistant Commissioner of Patents
BOX DAC
Washington, DC 20231

PETITION FOR WITHDRAWAL OF HOLDING OF
ABANDONMENT UNDER 37 C.F.R. §1.181

RECEIVED
JAN 8 9 2002
TECH CENTER 1600/2900

Dear Sir:

In response to a Notice of Abandonment mailed October 3, 2001 for the above-referenced patent application, Applicants hereby petition that said holding of abandonment be withdrawn.

The instant application was abandoned in view of Applicant's failure to timely file a proper response to the Office Action mailed on March 29, 2001. Applicants submit that a response and a Petition for Extensions of Time were mailed on September 28, 2001.

Pursuant to 37 C.F.R. 1.181, Applicants submit herewith a copy of the the Response and the Petition for Extensions of time mailed September 28, 2001 and a copy of the date-stamped return postcard indicating receipt of the Response to Office Action. Applicants further believe no fees are due, however, if this is in error, please debit Deposit Account No. 07-1185 on which the undersigned is allowed to draw.

Respectfully submitted,

DATE: 11/13/01

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